SINGLE BENCH (2) 4

CF 1007

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION (s) NO. 4085 /2006

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT / WRITS, ORDER / ORDERS, DIRECTION / DIRECTIONS IN THE NATURE OF MANDAMUS / CERTIORARI, PROHIBITION

PETITIONER

Smt. Dipika Thakur, aged about 54 years, widow of Late T.R. Thakur, working as Lady Health Visitor, Community Health Centre, Charama, Distt. North Bastar, Kanker, resident of village Lilajhar, Tah. Charama, Distt. Kanker (C.G.)

P.R. No. U155/06
Presented by Shri Kalyan Kashyap
dated 1/8/06

VERSUS

RESPONDENTS

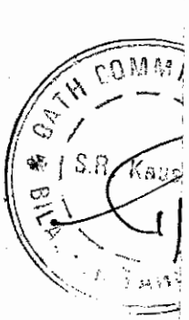
1. State of Chhattisgarh, through – the Secretary, Department of Health and Family Welfare, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh)
2. The District Collector, North Bastar, Kanker (C.G.)

REGISTERED COPY
1/8/06
CLERK to A. G. BILASPUR

OATH COMMISSIONER
(S.R. Kaushik)
BILASPUR (C.G.)
1/8/06

3. The Chief Medical & Health Officer, District North Bastar, Kanker (C.G.)

4. The Block Medical and Health Officer, Block Charama, Distt. North Bastar (Chhattisgarh)



27

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4085/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10.8.2006

Shri A.V. Sridhar, Advocate for the petitioner.

Shri Sumesh Bajaj, Govt. Advocate for the State on advance copy.

Heard.

By this petition, the petitioner has challenged her transfer order dated 6.7.2006 (Annexure P-1) whereby she has been transferred from Community Health Centre, Charama to Community Health Centre, Durgukondal on the administrative ground.

The main ground of challenge is that the petitioner is suffering from heart disease, taking regular treatment at Charama and the doctor has advised her to stay nearby area of the District Hospital. Whereas, vide impugned order the petitioner has been transferred at a distance of 175 kms from the present place of posting and at that place proper medical facility is not available, therefore, the transfer order is prejudicial to her health.

In the circumstances, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.2 and in turn, he be directed to decide the same in accordance with law, to which Shri Bajaj, learned Dy. Govt. Adv. for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation to respondent No.2 raising all her grievances within 10 days from today along with copy of this petition and in turn, respondent No.2 to decide the representation of the petitioner within a period of 30 days from the date of receipt of representation in accordance with law after considering all the grievances raised by the petitioner.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.3175/06 also stands disposed of.

Sd/-
L.C. Bhadoo
Judge

P.T.O.

11.8.06
22/8/06